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United States
Department of
Agriculture

Forest
Service

Intermountain Region

324 25th Street
Ogden, UT 84401
801-625-5605

File Code: 2160

Date: August 7, 2012

Mr. Daniel Opalski
Director, Office of Environmental Cleanup FEDEX: 798660575127
U.S. Environmental Protection Agency Region 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Re: North Maybe Mine – Notice of Intent to Negotiate an Administrative Settlement /
Administrative Order on Consent for a Remedial Investigation and Feasibility Study
(RI/FS)

Dear Mr. Opalski:

The USDA Forest Service (Forest Service) is investigating the release and threatened release of hazardous substances at the North Maybe Mine Site (Site) under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. §9601 et seq. Land occupied by the North Maybe Mine is under the jurisdiction, custody and control of the Caribou-Targhee National Forest. Authority to administer CERCLA was granted to the Department of Agriculture in Executive Order 12580. Further, authority to implement CERCLA on National Forest System lands, including the Caribou-Targhee National Forest, was delegated to the Forest Service.

By this letter, the Forest Service provides notice of its intent to negotiate an Administrative Settlement Agreement and Order on Consent with Nu-West Industries, Inc. and Nu-West Mining, Inc. to complete a RI/FS for the North Maybe Mine Site East Mill Operable Unit.

The North Maybe Mine, an inactive phosphate mine, lies approximately 25 miles northeast of Soda Springs, Idaho and is located within the Caribou-Targhee National Forest and Caribou County, Idaho. Contamination is known to discharge into East Mill Creek from the East Mill Dump, a cross-valley fill waste rock dump located east of the mine pit. Other potential sources of contamination are suspected at the Site along the west side of the mine pit. Contamination discharged from the CVF into East Mill Creek is known to extend downstream from the National Forest onto adjacent private land along East Mill Creek and into the Blackfoot River.

The Forest Service acknowledges the importance of consulting with the Shoshone-Bannock Tribes, the State of Idaho, and other federal agencies under CERCLA and the National Oil and Hazardous Substances Pollution Contingency Plan. The Forest Service coordinates regularly with the Tribes and the Idaho Department of Environmental Quality on this Site. The Forest Service has also coordinated with federal CERCLA response and natural resource trustee agencies, including the Department of the Interior (Fish and Wildlife Service and the Bureau of Land Management) and the Environmental Protection Agency (EPA).



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The Forest Service will continue to consult and coordinate with you and your staff as we move forward with the RI/FS and any subsequent response actions at this Site. If you have any questions about the matters raised in this letter, please call Sherri Clark at 208-236-7519. Your counsel may contact James Alexander at 503-808-5976.

Sincerely,

A handwritten signature in black ink, reading "Harv Forsgren". The signature is fluid and cursive, with the first name "Harv" and last name "Forsgren" clearly distinguishable.

HARV FORSGREN
Regional Forester

cc: Elizabeth McKenna, EPA ORC
Cami Grandinetti, EPA
Beth Sheldrake, EPA
Sherri Clark, FS
James Alexander, OGC